

DEPARTMENT OF INDUSTRIAL RELATIONS

FINAL EXPLANATION OF PROPOSED CHANGES IN APPENDIX TO CONFLICT OF INTEREST CODE – 8 CCR 17000

**Revisions of Disclosure Categories:**

CATEGORY 1 [Highest level of disclosure for Director, Division Chiefs, Commission and Board members, and Senior Executives]: *No Change.*

CATEGORY 2 [Second highest level of disclosure (interests other than real property) for Director for other senior staff and Director's Legal office]: *No Change.*

CATEGORY 3 [Disclosures for Accounting Administrators and certain Staff Services Managers and Program Analysts]: *No Change.*

CATEGORY 4 [Disclosures for designated positions in Information Systems]: *No Change.*

CATEGORY 5 [Disclosures for designated positions in Division of Workers' Compensation]: *No Change.*

CATEGORY 6 [Disclosures for designated positions in Industrial Medical Council]: *Existing category will be eliminated due to the elimination of the Industrial Medical Council. Former IMC positions that were moved into the Division of Workers' Compensation are being redesignated for Category 5 disclosures.*

CATEGORY 7 [Disclosures for designated positions in Division of Labor Standards Enforcement]: *To be renumbered as Category 6. No change in text.*

CATEGORY 8 [Disclosures for designated positions in Self Insurance Plans]: *To be renumbered as Category 7. No change in text.*

CATEGORY 9 [Disclosures for designated positions in Division of Occupational Health and Safety, Occupational Health and Safety Appeals Board, and Occupational Health and Safety Standards Board]: *To be renumbered as Category 8. No change in text.*

CATEGORY 10 [Disclosures for certain safety engineer positions in Division of Occupational Health and Safety and Occupational Health and Safety Standards Board]: *Existing category to be eliminated due to lack of justification for separate disclosure category for these particular positions. Positions have been redesignated for disclosures applicable to other positions within the same division and board (old Category 9, which is being renumbered as Category 8).*

CATEGORY 11 [Disclosures for designated positions in State Mediation and Conciliation Service]: *To be renumbered as Category 9. No change in text.*

CATEGORY 12 [Disclosures for designated positions in California Apprenticeship Council and Division of Apprenticeship Standards]: *To be renumbered as Category 10. No change in text.*

**Revisions to existing list of positions [organized alphabetically department-wide by classification]:**

| Division/Unit                            | Classification  | Category        | Change / Reason                            |
|--|---|-----------------|--|
| Div. of Administration                   | Accounting Administrator (all levels)                                 | 3               |  |
| Div. of Workers' Compensation            | Administrative Director   | 1               |  |
| Div. of Workers' Compensation            | Area Supervisor Rehabilitation Unit                                   | 5               |  |
| Div. of Apprenticeship Standards         | Area Administrator  | <del>4</del> 10 | # of Disclosure Category                   |
| Div. of Occupational Safety & Health     | Area Manager Cal/OSHA Consultation                                    | <del>9</del> 8  | # of Disclosure Category                   |
| Div. of Labor Standards Enforcement      | Assistant Chief Counsel   | 1               |  |
| Office of the Director – Legal Unit      | Assistant Chief Counsel   | 1               |  |
| Div. of Labor Standards Enforcement      | Assistant Chief   | 1               |  |
| <del>Office of the Director</del>        | <del>Assistant Director</del>   | <del>4</del>    | Position not in use                        |
| Div. of Administration                   | Associate Governmental Program Analyst                                | 2               |  |
| Div. of Workers' Compensation            | Associate Governmental Program Analyst                                | 3               |  |
| Office of the Director                   | Associate Governmental Program Analyst                                | 2               |  |
| Workers' Compensation Appeals Board      | Associate Governmental Program Analyst                                | 3               |  |
| Information Systems                      | Associate Governmental Program Analyst                                | 4               |  |
| <del>Industrial Medical Council</del>    | <del>Associate Medical Director</del>                                 | <del>6</del>    | Council eliminated                         |
| <del>Div. of Workers' Compensation</del> | <del>Associate Medical Director</del>                                 | <del>5</del>    | Reorganization (former IMC)                |
| Div. of Workers' Compensation            | <del>Bureau Chief – Rehabilitation</del> Chief, Rehabilitation Bureau | 5               | Title Revision                             |
| Div. of Apprenticeship Standards         | CEA I (all levels)  | <del>4</del> 10 | Clarification and # of Disclosure Category |
| Occupational Safety & Health             | CEA I (all levels)  | <del>9</del> 8  | Clarification and # of Disclosure Category |

|  |  |                 |  |
|--|--|-----------------|--|
| Div. of Workers' Compensation            | CEA <del>2</del> (all levels)                                | 5               | Clarification  |
| Div. of Occupational Safety & Health     | CEA <del>2</del> (all levels) Program Manager - Consultation | <del>9</del> 8  | Clarification and # of Disclosure Category                       |
| Occup. Safety & Health Appeals Board     | Chairperson  | 1               |  |
| Occup. Safety & Health Standards Board   | Chairperson  | 1               |  |
| Workers' Compensation Appeals Board      | Chairperson  | 1               |  |
| Industrial Welfare Commission            | Chairperson & Members  | 1               |  |
| Office of the Director - Legal           | Chief Counsel - CEA  | 1               |  |
| <u>Div. of Workers' Compensation</u>     | <u>Chief Counsel</u>   | <u>5</u>        | New Position with high level discretion/recommendation authority |
| Div. of Labor Standards Enforcement      | Chief Counsel - CEA  | 1               |  |
| Office of the Director                   | Chief Deputy Director  | 1               |  |
| Div. of Labor Standards Enforcement      | Chief ( <u>State Labor Commissioner</u> )                    | 1               | Clarification to show alternate title                            |
| Div. of Administration                   | Chief Division of Administration, CEA                        | 1               |  |
| <del>Div. of Workers' Compensation</del> | <del>Chief Judge - CEA 5</del>                               | <del>5</del>    | Title changed to Presiding Judge (see below)                     |
| Div. of Apprenticeship Standards         | Chief  | 1               |  |
| Div. of Labor Statistics & Research      | Chief  | 1               |  |
| Div. of Occupational Safety & Health     | Chief  | 1               |  |
| Div. of Workers' Compensation            | Chief, Legislation and Policy                                | 5               |  |
| Div. of Workers' Compensation            | Chief, Programmatic Services, <u>CEA (all levels)</u>        | 5               | Clarification  |
| State Mediation & Conciliation Service   | Conciliator  | <del>4</del> 9  | # of Disclosure Category   |
| All Divisions                            | Consultant*  | 1               |  |
| <u>Div. of Workers' Compensation</u>     | <u>Court Administrator</u>                                   | <u>5</u>        | New Position with high level discretion/recommendation authority |
| Information Systems                      | Data Processing Manager I, II and III                        | 4               |  |
| Information Systems                      | Data Processing Manager IV                                   | 1               |  |
| Workers' Compensation Appeals Board      | Deputy CEA <del>5</del> (all levels)                         | 5               | Clarification  |
| Div. of Workers' Compensation            | Deputy Administrative Director                               | 5               |  |
| Div. of Labor Standards Enforcement      | Deputy Chief Labor Commissioner, CEA                         | 1               |  |
| Div. of Apprenticeship Standards         | Deputy Chief   | <del>4</del> 10 | # of Disclosure Category   |
| Div. of Labor Statistics & Research      | Deputy Chief, CEA 4  | 1               | Clarification  |
| Div. of Occupational Safety & Health     | Deputy Chief, Health   | <del>9</del> 8  | # of Disclosure Category   |
| Div. of Occupational Safety & Health     | Deputy Chief, Safety   | <del>9</del> 8  | # of Disclosure Category   |

\* Consultants are included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations: The director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of disclosure requirements. The director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

|  |  |            |   |
|--|--|------------|---|
| Office of the Director   | Deputy Director  | 1          |   |
| Div. of Occupational Safety & Health                                     | Deputy Director of Management Relations                                | <u>9 8</u> | # of Disclosure Category  |
| Div. of Labor Standards Enforcement                                      | Deputy Labor Commissioner (all levels)                                 | <u>7 6</u> | # of Disclosure Category  |
| Office of the Director   | Director   | 1          |   |
| <u>Office of the Director</u>  | <u>Director of Communications</u>                                      | <u>1</u>   | Position not in existing regulations – high level discretion/recommendation authority   |
| Div. of Occupational Safety & Health                                     | District Manager   | <u>9 8</u> | # of Disclosure Category  |
| <del>Industrial Medical Council</del>                                    | <del>Executive Medical Director</del>                                  | <u>6</u>   | Council eliminated  |
| <u>Div. of Workers' Compensation</u>                                     | <u>Executive Medical Director</u>                                      | <u>5</u>   | Reorganization (former IMC)   |
| Commission on Health and Safety and Workers' Compensation [CHSWC]        | Executive Officer  | 2          |   |
| Industrial Welfare Commission  | Executive Officer  | 1          |   |
| Occup. Safety & Health Appeals Board                                     | Executive Officer  | 1          |   |
| Occup. Safety & Health Standards Board                                   | Executive Officer  | 1          |   |
| Div. of Workers' Compensation  | Health Education Consultant III  | 5          |   |
| Occup. Safety & Health Appeals Board                                     | Hearing Officer <del>I and II</del> (all levels)                       | <u>9 8</u> | Clarification and # of Disclosure Category  |
| <u>Commission on Health and Safety and Workers' Compensation [CHSWC]</u> | <u>Industrial Relations Counsel (all levels)</u>                       | <u>2</u>   | Position not in existing regulations – high level discretion/recommendation authority   |
| Office of the Director - Legal   | Industrial Relations Counsel (all levels)                              | <u>+ 2</u> | Change in Disclosure Category   |
| Div. of Workers' Compensation  | Industrial Relations Counsel (all levels)                              | 5          |   |
| Workers' Compensation Appeals Board                                      | Industrial Relations Counsel (all levels)                              | 5          |   |
| Div. of Labor Standards Enforcement                                      | Industrial Relations Counsel (all levels)                              | <u>7 6</u> | # of Disclosure Category  |
| Div. of Occupational Safety & Health                                     | Industrial Relations Counsel (all levels)                              | <u>9 8</u> | # of Disclosure Category  |
| Occup. Safety & Health Appeals Board                                     | Industrial Relations Counsel (all levels)                              | <u>9 8</u> | # of Disclosure Category  |
| Occup. Safety & Health Standards Board                                   | Industrial Relations Counsel (all levels)                              | <u>9 8</u> | # of Disclosure Category  |
| <del>Industrial Medical Council</del>                                    | <del>Industrial Relations Counsel and Legal Counsel (all levels)</del> | <u>6</u>   | Council eliminated  |
| Div. of Labor Standards Enforcement                                      | Labor Standards Investigator   | <u>7 6</u> | # of Disclosure Category  |
| Office of the Director - Legal   | Legal Counsel  | <u>+ 2</u> | Change in Disclosure Category   |
| Div. of Workers' Compensation  | Legal Counsel  | 5          |   |
| Div. of Labor Standards Enforcement                                      | Legal Counsel  | <u>7 6</u> | # of Disclosure Category  |
| <u>California Apprenticeship Council</u>                                 | <u>Member</u>  | <u>10</u>  | Council not in existing regulations – members have high level decision-making authority |
| Commission on Health and Safety and Workers' Compensation [CHSWC]        | Member   | 1          |   |
| Workers' Compensation Appeals Board                                      | Member   | 1          |   |
| <del>Industrial Medical Council</del>                                    | <del>Member, Industrial Medical Council</del>                          | <u>4</u>   | Council Eliminated  |
| Occup. Safety & Health Appeals Board                                     | Member   | 1          |   |
| Occup. Safety & Health Standards Board                                   | Member   | 1          |   |

|   |   |              |   |
|---|---|--------------|---|
| Div. of Occupational Safety & Health                              | Nurse Consultant III                                    | <u>9 8</u>   | # of Disclosure Category  |
| State Mediation & Conciliation Service                            | Presiding Conciliator                                   | <u>11 9</u>  | # of Disclosure Category  |
| Div. of Workers' Compensation                                     | Presiding Workers' Compensation Judge                   | <u>5</u>     |   |
| Occup. Safety & Health Standards Board                            | Principal Safety Engineer — <del>Construction</del>     | <u>10 8</u>  | # of Disclosure Category  |
| Div. of Occupational Safety & Health                              | Principal Safety Engineer — <del>Industrial</del>       | <u>9 8</u>   | # of Disclosure Category  |
| <del>Occup. Safety &amp; Health Standards Board</del>             | <del>Principal Safety Engineer — Industrial</del>       | <u>10</u>    | Job title redundant ( <i>see</i> above)   |
| Div. of Occupational Safety & Health                              | Program Manager, Consultation, CEA                      | <u>9 8</u>   | # of Disclosure Category  |
| Div. of Occupational Safety & Health                              | Program Manager, Engineering Services, CEA              | <u>9 8</u>   | # of Disclosure Category  |
| Div. of Occupational Safety & Health                              | Public Health Medical Officer III                       | <u>9 8</u>   | # of Disclosure Category  |
| Div. of Occupational Safety & Health                              | Regional Manager  | <u>9 8</u>   | # of Disclosure Category  |
| Div. of Workers' Compensation                                     | Regional Manager, Claims Adjudication                   | <u>5</u>     |   |
| <u>Div. of Workers' Compensation</u>                              | <u>Research Manager (all levels)</u>                    | <u>5</u>     | Position not in existing regulations – high level discretion/recommendation authority |
| Div. of Occupational Safety & Health                              | Research Manager  | <u>9 8</u>   | # of Disclosure Category  |
| Div. of Labor Statistics & Research                               | Research Manager <del>I and H</del> <u>(all levels)</u> | <u>1</u>     | Clarification   |
| Commission on Health and Safety and Workers' Compensation [CHSWC] | Research Program Specialist (all levels)                | <u>2</u>     |   |
| <u>Div. of Workers Compensation</u>                               | <u>Research Program Specialist (all levels)</u>         | <u>5</u>     | Position not in existing regulations – high level discretion/recommendation authority |
| Div. of Labor Statistics & Research                               | Research Program Specialist (all levels)                | <u>2</u>     |   |
| Div. of Workers' Compensation                                     | Research Scientist                                      | <u>5</u>     |   |
| Div. of Apprenticeship Standards                                  | Senior Apprenticeship Consultant                        | <u>12 10</u> | # of Disclosure Category  |
| Div. of Occupational Safety & Health                              | Senior Industrial Hygienist                             | <u>9 8</u>   | # of Disclosure Category  |
| Occup. Safety & Health Standards Board                            | Senior Industrial Hygienist                             | <u>9 8</u>   | # of Disclosure Category  |
| Div. of Occupational Safety & Health                              | Senior Safety Engineer — <del>Industrial</del>          | <u>10 8</u>  | # of Disclosure Category  |
| Div. of Occupational Safety & Health                              | Senior Special Investigator                             | <u>9 8</u>   | # of Disclosure Category  |
| <u>Div. of Workers' Compensation</u>                              | <u>Special Assistant to the Administrative Director</u> | <u>5</u>     | New position with high level decision/recommendation authority                        |
| Office of the Director  | Special Assistant to the Director                       | <u>1</u>     |   |
| Self Insurance Plans  | Special Assistant to the Director                       | <u>8 7</u>   | # of Disclosure Category  |
| <u>Div. of Labor Standards Enforcement</u>                        | <u>Special Assistant to the Labor Commissioner</u>      | <u>6</u>     | New position with high level discretion/recommendation authority                      |
| Div. of Occupational Safety & Health                              | Special Investigator                                    | <u>9 8</u>   | # of Disclosure Category  |
| Div. of Labor Standards Enforcement                               | Special Investigator (all levels)                       | <u>7 6</u>   | # of Disclosure Category  |
| <u>Office of the Director – Legal</u>                             | <u>Special Investigator (all levels)</u>                | <u>2</u>     | Position not in existing regulations – high level discretion/recommendation authority |
| <del>Industrial Medical Council</del>                             | <del>Sr.</del> Special Investigator <u>(all levels)</u> | <u>6 5</u>   | Council eliminated; positions now in Division of Workers Compensation                 |

|  |   |                |  |
|--|---|----------------|--|
| Div. of Workers' Compensation              | Sr. Workers' Comp. Compliance Officer                                 | 5              |  |
| Div. of Administration – Business Mgmt     | Staff Services Manager (all levels)                                   | 2              |  |
| Div. of Administration – Return to Work    | Staff Services Manager (all levels)                                   | 3              |  |
| Div. of Apprenticeship Standards           | Staff Services Manager (all levels)                                   | 2              |  |
| <u>Div. of Workers' Compensation</u>       | <u>Staff Services Manager (all levels)</u>                            | <u>5</u>       | New position with high level discretion/recommendation authority |
| <u>Div. of Labor Standards Enforcement</u> | <u>Staff Services Manager (all levels)</u>                            | <u>6</u>       | New position with high level discretion/recommendation authority |
| Occupational Safety & Health               | Staff Services Manager (all levels)                                   | <del>9</del> 8 | # of Disclosure Category   |
| OSH Standards Board                        | Staff Services Manager I  | <del>9</del> 8 | # of Disclosure Category   |
| Div. of Administration                     | Staff Services Manager II   | 2              |  |
| Div. of Administration                     | Staff Services Manager III  | 2              |  |
| Self Insurance Plans                       | Supervising Workers' Compensation Compliance Officer                  | <del>8</del> 7 | # of Disclosure Category   |
| Div. of Workers' Compensation              | Supervising Workers' Compensation Compliance Officer                  | 5              |  |
| Occupational Safety & Health               | Supervising Industrial Hygienist                                      | <del>9</del> 8 | # of Disclosure Category   |
| Office of the Director – Legal Unit        | <del>Supervising Workers' Comp. Consultant</del> Special Investigator | <del>4</del> 2 | Change in title and Disclosure Category                          |
| Div. of Occupational Safety & Health       | Supervising Special Investigator                                      | <del>9</del> 8 | # of Disclosure Category   |
| Div. of Workers' Compensation              | Supervising Workers' Compensation Compliance Officer                  | 5              |  |
| Div. of Workers' Compensation              | Supervising Workers' Compensation Consultant                          | 5              |  |
| State Mediation & Conciliation Service     | Supervisor of Conciliation, CEA [ <u>Chief</u> ]                      | 1              | Clarification showing alternate title                            |
| Div. of Workers' Compensation              | Workers' Compensation Compliance Manager                              | 5              |  |
| Div. of Workers' Compensation              | Workers' Compensation Compliance Officer ( <u>all levels</u> )        | 5              | Clarification  |
| Div. of Workers' Compensation              | Workers' Compensation Consultant--Collection Unit                     | 5              |  |
| Div. of Workers' Compensation              | Workers' Compensation Rehabilitation Consultant                       | 5              |  |
| Self Insurance Plans                       | Workers' Compensation Compliance Manager                              | <del>8</del> 7 | # of Disclosure Category   |
| Self Insurance Plans                       | Workers' Compensation Compliance Officer ( <u>all levels</u> )        | <del>8</del> 7 | Clarification and # of Disclosure Category                       |
| Div. of Workers' Compensation              | Workers' Compensation Judge   | 5              |  |
| Div. of Workers' Compensation              | Workers' Compensation Manager   | 5              |  |
| <del>Industrial Medical Council</del>      | <del>Workers' Compensation Manager</del>                              | <del>6</del>   | Council eliminated   |